



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,638	03/01/2004	James H. Werner	S-100,565

35068  
 UNIVERSITY OF CALIFORNIA  
 LOS ALAMOS NATIONAL LABORATORY  
 P.O. BOX 1663, MS A187  
 LOS ALAMOS, NM 87545



CONFIRMATION NO. 9767

## FORMALITIES LETTER



\*OC000000012748938\*

Date Mailed: 05/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

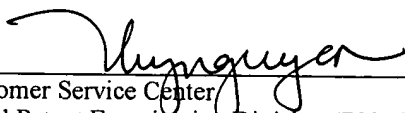
Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

08/20/2004 BABRAH1 00000019 122130 10750638

01 FC:2051

65.00 DA

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Thynguyen", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James H. Werner

Docket No.: S-100,565

Serial No.: 10/790,638

Examiner:

Filed : 3/1/2004

Art Unit:

For : HIGH THROUGHPUT SCREENING USING FLUOROPHORE LABELED  
LIPID MEMBRANES AND FLUORESCENCE CORRELATION SPECTROSCOPY

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## COMPLETION OF FILING REQUIREMENTS

- I. ☒ The following is a reply to the Notice to File Missing Parts of Nonprovisional Application (PTO-1533) dated May 24, 2004.
- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (Form PTO-1533) is enclosed.
- ☐ A submission of substitute drawings as required by the Notice to File Missing Parts of Nonprovisional Application dated \_\_\_\_\_ is enclosed.

## DECLARATION OR OATH

- II. ☒ No original declaration or oath was filed and enclosed is the original declaration or oath for this application.
- ☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

## FACSIMILE

☐ transmitted by facsimile to the United States Patent and Trademark Office

Signature

Date: August 16, 2004

Bruce H. Cottrell  
(type or print name of person certifying)

Attached is a

- ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

#### AMENDMENT CANCELING CLAIMS

- III. ☐ Cancel claims \_\_\_\_\_.

#### SMALL ENTITY STATUS

- IV. ☒ Applicant is entitled to small entity status.
- ☐ Applicant is other than a small entity.

#### COMPLETION FEES

- V. 1. Filing fee
- ☐ original patent application 37 CFR 1.16(a))-  
\$770.00; Small entity-\$385.00 \$ \_\_\_\_\_
2. Fees for claims
- ☐ each independent claim in excess of 3  
(37 CFR 1.16(b))-\$86.00; small entity-\$43.00 \$ \_\_\_\_\_
- ☐ each claim in excess of 20 (37 CFR 1.16(c))-  
\$18.00; small entity-\$9.00 \$ \_\_\_\_\_
- ☐ multiple dependent claim(s) (37 CFR 1.16(d))-  
\$290.00; small entity-\$145.00 \$ \_\_\_\_\_
3. Surcharge fees
- ☐ late payment of filing fee
- and/or
- ☒ late filing of original declaration or oath  
(37 CFR 1.16(e))-\$130.00; small  
entity-\$65.00 \$ 65.00

4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor  
(37 CFR 1.47)-\$130.00 \$\_\_\_\_\_

**TOTAL COMPLETION FEES**

\$\_\_\_\_\_

**EXTENSION OF TIME FEES**

(complete (a) or (b) as applicable)

VI. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

**EXTENSION OF TIME FEE**\$ 55.00

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**EXTENSION FEE DUE WITH THIS REQUEST**

\$\_\_\_\_\_

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

VII. The total fee due is

Completion fee(s) \$ 65.00  
Extension fee (if any) \$ 55.00

**TOTAL FEE DUE**\$ 120.00

VIII.

- ☐ enclosed is a check in the amount of \$\_\_\_\_\_
- ☒ charge Account No. 12-2150 in the amount of \$ 120.00

A duplicate of this transmittal is attached.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

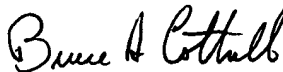
IX.

- ☐ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 12-2150.
- ☐ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☐ 37 CFR 1.16(b), (c), or (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)

X. As to any overpayment made please

- ☒ Credit to Account No. 12-2150.
- ☐ Send refund check.

Respectfully submitted,



Signature of Attorney

Date: August 16, 2004

Reg. No. 30,620  
Phone (505) 667-9168

Bruce H. Cottrell  
Los Alamos National Laboratory  
LC/IP, MS A187  
Los Alamos, New Mexico 87545